

REMARKS

Claims 11-12 stand rejected under 35 U.S.C. 101 as being directed to non-statutory subject matter. Claim 11 is cancelled, therefore the rejection is moot with respect to this claim. Applicant traverses the rejection as it applies to claim 12 because the claim recites, among other things, a computer-readable recording medium which stores a delivery-information management program that causes a computer to perform a processing sequence to store an evaluation value in a database.

In the rejection, the Examiner asserts that all elements appear to be interpreted as a disclosure of software, such that the system/apparatus is software per se. Applicant respectfully traverses this statement of the Examiner.

35 U.S.C. 101 defines four categories of inventions that are deemed to be appropriate subject matter of a patent. These categories include processes, machines, manufactures and compositions of matter. The present invention, as recited in claim 12, calls for a computer-readable recording medium with a program stored thereon. The recording medium is a manufacture, and therefore falls within one of the four categories of appropriate subject matter. For at least this reason, the §101 rejection should be withdrawn.

Moreover, as now recited in amended step (e), an evaluation value is stored in a database in association with an information group. Accordingly, a useful, concrete and tangible result is provided. For all these reasons, Applicant respectfully requests withdrawal of the §101 rejection of claim 12.

Claims 1-12 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Minakuchi (U.S. Pub. No. 2004/0098288 A1) in view of Tamatsu et al. (U.S. Pub. No. 2004/0162771 A1). In response, Applicant amended independent claims 1, 10, and 12 to incorporate the subject matter of claim 6, and respectfully traverse the rejection as it applies to the amended claims.

Minakuchi is directed to evaluating “consistency of selection items.” For example, paragraph [0253] of Minakuchi describes selection items as constituting an ID 301, a song name 302, and artist name 303, and a category 304 that are correspondingly combined with each other. Paragraph [0257] teaches that an evaluation rule 405 evaluates a specific order of the selection items included in a selection set. Paragraph [0265] further discloses that the evaluation rules are used such that when the selection set includes n number of selection items each of which has a song name 302 beginning with a work “Ai (love),” the grade is n points. Thus, Minakuchi teaches accumulating points that are as many as the number of contents including a certain key word “for example, Ai (love).” However, Minakuchi is silent regarding a consistency of an information item in a group.

In contrast, as now recited in amended claims 1, 10, and 12, when an information item is inputted to a computer, it is determined whether or not inconsistency occurs between the information item and at least one other information item which has already been inputted to a computer. When the information item is determined as consistent, then the information item is classified into an information group. For

example, see Applicant's specification page 15, lines 11-25, wherein different specifications of an identical product, such as different numbers of pixels in two specifications of identical digital cameras, results in a determination of inconsistency.


The present invention does not allow information items that are inconsistent with each other to exist in the same group. Thus, the present invention enhances reliability of information within an information group. Since Minakuchi does not disclose or suggest this feature of the present invention, wherein specific information items can be determined as being consistent or inconsistent based on the specifications of those items, withdrawal of the §103 rejection of claims 1-5, 7-10, and 12 is respectfully requested.

For all of the foregoing reasons, Applicant submits that this Application is in condition for allowance, which is respectfully requested. The Examiner is invited to contact the undersigned attorney if an interview would expedite prosecution.

Respectfully submitted,

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